

Introduced: March 10, 1981
Enacted: May 15, 1981
Executive: May 15, 1981
Effective May 15, 1981

COUNTY COUNCIL

FOR MONTGOMERY COUNTY, MARYLAND

March Legislative Session 1981

Chapter 45

AN EMERGENCY ACT to amend Section 33-74, title "Cost-of-living adjustment" of Article IV, title "Employer-Employee Relations" of Chapter 33, title "Personnel" of the Montgomery County Code 1972, as amended, to add a new subsection (b) authorizing the Chief Administrative Officer for FY-82 to provide for cost-of-living increases of certain merit system employees at less than seventy-five (75) percent of the consumer price index.

Be It Enacted by the County Council for Montgomery County, Maryland, that -

Sec. 1. Section 33-74, title "Cost-of-living adjustment" of Article IV, title "Employer-Employee Relations" of Chapter 33, title "Personnel" of the Montgomery County Code 1972, as amended is hereby repealed and reenacted with amendments to read as follows:

33-74. Cost-of-living adjustment.

(a) The county executive shall provide as a part of the annual recommended operating budget for the county government sufficient funds to implement the cost-of-living adjustment required by this section. The council shall accord one of the highest priorities to the full funding of the cost-of-living adjustment, shall fund fully the seventy-five (75) percent of Consumer Price Index cost-of-living adjustment unless reasons are given for not doing so, and shall make a finding in the budget resolution as to the extent to which full funding is achieved. Unless otherwise provided in the approved budget resolution which includes a finding that implementation of the full amount of the adjustment would necessitate substantial lay-offs of personnel or result in other widespread hardship to county government employees, the chief administrative officer shall adjust the uniform salary plan for all classified employees of the county government beginning the first pay period on or after July 1 of each year by an amount not less than seventy-five (75) percent of the change in the Consumer Price Index for all urban consumers in the Washington, D.C. area, although pay grades one through four of the uniform salary plan to which minimum wage and certain seasonal employees are assigned will

be adjusted by changes in the minimum wage rates and salary surveys to determine the competitiveness of such salaries. The percentage change shall be based on the latest published index for the calendar year preceding the fiscal year in which the adjustment is to be paid.

The chief administrative officer may adjust the uniform salary plan in excess of the base percentage of seventy-five (75) percent, provided funds are available and approved by the county council for such purpose.

(b) Notwithstanding the provisions in (a) above, for FY-82 only the following salary controls shall apply:

1. Salary maxima of grades 5 through 31 will be adjusted by the full cost-of-living granted by the County Council.
2. The salary maximum for grade 40 shall be \$70,000.00.
3. The salary maxima for grades 32 through 39 shall be adjusted by the Chief Administrative Officer so that the dollar difference between the salary maxima of grades 31 through 40 is the same.
4. The salary for each merit employee in grades 5-31 will be adjusted by the full cost-of-living granted by the County Council to the extent that such salary adjustment does not exceed the maximum of the employee's grade.
5. The salaries for merit employees in grades 32 through 39 will be adjusted by the full cost-of-living granted by the County Council only to the extent that such salary adjustment does not exceed the maximum of the employee's grade.
6. The cost-of-living adjustment to the salaries of non-merit employees shall be determined by the County Executive but shall not exceed the cost-of-living granted merit employees.
7. No employee's salary is to be reduced below its level as of June 30, 1981 as a result of implementation of the provisions contained in paragraphs 1-6 above.

Sec. 2. Severability.

The provisions of this Act are severable and if any provision, sentence, clause, section word or part thereof is held illegal, invalid or unconstitutional

or inapplicable to any person or circumstances, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, sentences, clauses, sections, words or parts of the Act or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Act would have been adopted if such illegal, invalid or unconstitutional provisions, sentence, clause, section, word or part had not been included therein, and if the person or circumstances to which the Act or any part thereof is inapplicable had been specifically exempted therefrom.

Sec. 3. Termination.

The provisions of this law shall remain effective only for FY-82 and shall be of no effect after June 30, 1982. Upon termination, Section 33-74 as it existed immediately prior to the effective date of this law, shall be reinstated.

Sec. 4. Effective Date.

The County Council hereby declares that an emergency exists and that this legislation is necessary for the immediate protection of the public health, safety and welfare. Therefore, this Act shall take effect on the date on which it becomes law.

Approved:

Ruth Spector
President, Montgomery County Council

May 15, 1981
Date

Approved:

Charles W. Glick
County Executive

May 15, 1981
Date

ATTEST:

Annal Spates
Secretary of the County Council

May 15, 1981
Date

